

Alstate Process Service Inc.

60 BURT DRIVE
DEER PARK, NEW YORK 11729
631/667-1800

UNITED STATES SOUTHERN DISTRICT COURT
COUNTY OF NEW YORK

INDEX NO.: 07 CIV 6288

NATIONAL RAILROAD PASSENGER CORP.

against

T.C. JOHNSON COMPANY, ET AL

Plaintiff(s)

Defendant(s)

**AFFIDAVIT
OF
SERVICE**STATE OF OHIO COUNTY OF Lucas

ss.:

Christopher Theriss being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in The State of New York
That on 7/23/07 @ 3:31 am/pm @ 5275 N. Ann Arbor Rd Dundee MI 48131 on
deponent served the within SUMMONS AND COMPLAINT bearing Index# 07 CIV 6288 & filing date 07/09/07
MITCHELL EQUIPMENT CORPORATION defendant therein named,

INDIVIDUAL



by delivering thereat a true copy of each to said defendant personally; deponent knew said person so served to be the person described as said defendant therein. (S)He identified (her) himself as such.

Domestic

CORPORATION



a Mechanical Service Equipment corporation, by delivering thereat a true copy of each to Estel Louitt personally; deponent knew said corporation so served to be the corporation described as the named defendant and knew said individual to be the President thereof an authorized person to accept service of process

SUITABLE
AGE PERSON

by delivering thereat a true copy of each to Mitchell Equipment Corporation a person of suitable age and discretion. That person was also asked by deponent whether said premises was the defendant's and the reply was affirmative.

AFFIXING TO
DOOR, ETC.

by affixing a true copy of each to the door of said premises, which is defendant's within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having verified defendant's with and having called there on

MAILING



On Estel Louitt deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to defendant at defendant's President's and deposited said wrapper in a post office of the United States Postal Service.

DESCRIPTION

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
<u>Male</u>	<u>Caucasian</u>	<u>White</u>	<u>50's</u>	<u>5'5"</u>	<u>120</u>

USE IN
NYC CIVIL CT.

Other identifying features:

Balding

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons(es).

MILITARY
SERVICE

I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply.

The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or Federal statutes.

NOTARY

SWORN TO BEFORE ME ON 07/23/07

Lucy A. Schwartz
Notary Public

MY COMMISSION EXPIRES 10/17/09SERVER Christopher R Theriss

LUCY A. SCHWARTZ
Notary Public, State of Ohio
My Commission Expires 10-17-2009

LICENSE NO. N/A